

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

GREAT NORTHERN INSURANCE CO.
as subrogee of PHYLLIS MACNEIL
1000 Pillsbury Center
Minneapolis, MN 55402

Plaintiff

v.

INTERCITY ALARMS, INC.
20 North Main Street
Yarmouth, MA 02664

Defendant

CA #03 CV 12463 RGS

JOINT STATEMENT

Pursuant to the Court's Notice of Scheduling Conference and Rule 16.1D of the Local Rules of the United States District Court for the District of Massachusetts, counsel for the above named parties hereby certify that they have conferred for the purpose of:

- (1) preparing an agenda of matters to be discussed at the scheduling conference;
- (2) preparing a proposed joint discovery plan and motion schedule;
- (3) considering whether to consent to trial by magistrate judge.

Undersigned counsel hereby state that they have prepared an agenda for the scheduling conference and have set forth below a joint discovery plan and motion schedule.

SETTLEMENT PROPOSAL

The undersigned counsel hereby certify that the plaintiff's counsel has provided a written settlement proposal to defense counsel.

JOINT DISCOVERY AND MOTION SCHEDULE

<u>Date</u>	<u>Activity</u>
February 16, 2004	All automatic disclosures made.
March 15, 2004	Written discovery to be filed and answers/responses are to be filed within the time provided by the rules.
March 30, 2004	The parties shall join other parties, if any.
August 30, 2004	Depositions to be completed, except Expert witnesses.
September 30, 2004	Plaintiffs' expert witnesses, if any, to be designated.
October 30, 2004	Defendants' expert witnesses, if any, to be designated.
November 30, 2004	Dispositive motions to be filed.
	Responses to motions to be filed in accordance with Court rules.

A final pre-trial conference will be held per order of the Court.

Other Issues

1. The plaintiff intends to take approximately five (5) depositions. The defendant intends to take approximately three (3) depositions.
2. The plaintiff will/will not consent to trial by Magistrate Judge. The defendant will/will not consent to trial by Magistrate Judge.
3. The parties will discuss whether this matter should proceed to private mediation prior to taking expert depositions.

Plaintiff
By its attorney,

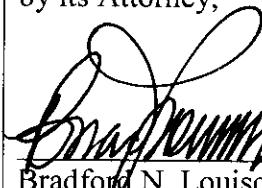
The Plaintiff,
by its Attorney,



Roy P. Giarrusso (BBO #549470)
Giarrusso, Norton, Cooley & McGlone, P.C.,
Marina Bay, 308 Victory Road
Quincy, MA 02171
(617) 770-2900

Defendant
By its attorney,

The Defendant,
by its Attorney,



Bradford N. Louison (BBO#305755)
Merrick, Louison & Costello, LLP
67 Batterymarch Street
Boston, MA 02110
(617) 439-0305

GIARRUSSO, NORTON, COOLEY & McGLOONE, P.C.

COUNSELLORS AT LAW

MARINA BAY
308 VICTORY ROAD QUINCY, MASSACHUSETTS 02171
TEL: (617) 770-2900 FAX: (617) 773-6934

CHRISTINE KELLEY TRAMONTANA
ckt/klb ctramontana@gncm.net

U.S. DISTRICT COURT OF MASS.

February 18, 2004

Clerk's Office
United States District Court
1 Courthouse Way
Boston, MA 02210

Re: Great Northern Insurance Co. v. Intercity Alarms, Inc.
U.S.D.C. Civil Action No.: 03-12463-RGS

Dear Sir or Madam:

In accordance with the Notice of Scheduling Conference, enclosed for filing please find the parties' Joint Statement.

Thank you for your attention to this matter.

Very truly yours,



Christine Kelley Tramontana

CKT/klb
Enc.

cc: A. Richard Bailey, Esq.
Bradford Louison, Esq.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

GARO-BOSTON COMMONWEALTH, LLC)
and GARY S. ROTHKOPF,)
Plaintiffs,)
vs.) CIVIL ACTION NO. 02-10538-RGS
TJ&W RESIDENTIAL, INC.,)
WILLIAM FOSTER, LINDA FOSTER and)
FOOTHILL CAPITAL CORPORATION,)
Defendants.)

FEB 20 2004
CLERK'S OFFICE
DISTRICT OF MASS.

NOTICE OF WITHDRAWAL

TO THE CLERK OF THE ABOVE-NAMED COURT:

Pursuant to L.R. 83.5.2(c), Douglas B. Otto, of Morrison, Mahoney & Miller, LLP, hereby moves to withdraw the appearance of co-counsel, Lisa Davis George from the above-captioned action. Douglas B. Otto will continue to represent the Plaintiffs, Garo-Boston Commonwealth, LLC and Gary S. Rothkopf, in the above-captioned matter. Lisa Davis George is no longer with Morrison, Mahoney & Miller, LLP.

**GARO-BOSTON COMMONWEALTH, LLC
and GARY S. ROTHKOPF,**

By their Attorney,



Douglas B. Otto (BBO# 555269)

MORRISON, MAHONEY & MILLER, LLP
250 Summer Street
Boston, MA 02210
(617) 737-8873

Dated: 2/18/04

MORRISON, MAHONEY & MILLER, LLP

COUNSELLORS AT LAW

OFFICE

250 SUMMER STREET

BOSTON, MASSACHUSETTS 02210-1181

617-439-7500

FEB 20 A/H: 53
DISTRICT COURT OF MASS.

Douglas B. Otto
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February 18, 2004

Clerk of the Court
United States District Court
District of Massachusetts
One Courthouse Way – Rm 2300
Boston, MA 02210

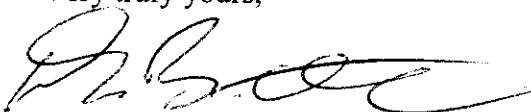
Re: Garo-Boston Commonwealth, LLC, et al. v. TJ&W Residential, Inc., et al.,
Civil Action No: 02-10538-RGS
Our File Number: 10008607

Dear Sir/Madam:

Enclosed for docketing and filing in connection with the above-named matter, please find Notice of Withdrawal.

Thank you for your kind assistance in this regard.

Very truly yours,



Douglas B. Otto

DBO:djm
Enclosure
cc: Michael R. Gottfried, Esquire
Gary S. Rothkopf